

REMARKS

Claims 1-3 are pending in the application.

Claims 2-3 are withdrawn from consideration.

Claim Rejections - 35 U.S.C. § 103:

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Rink (U.S. Patent No. 5,842,265). Applicant respectfully traverses the rejection of claim 1 as being unpatentable over Rink.

Claim 1 is amended to define, *inter alia*, that the contacting surfaces are disposed in flat edge sections of the metal profiles and that the metal profiles are connected to each other by means of an injection molded plastic material extending through the openings and enclosing the flat edge sections around the openings, and wherein the openings in the flat edge sections of the metal profiles are lying on top of each other in a substantially planar and congruent manner.

In contrast, Rink uses a combination of metal-joining techniques and conventional injection-molding processes. In a first step, the individual metal sheets are interlockingly fixed to each other by means of a press die and then in a second step are bonded to each other and to a plastic section that is formed by injection-molding a plastic material into openings in the region of the joining or pressing point and/or into other superimposed openings in the individual metal sheets. The sheet metal parts are laterally fixed by pressing the parts together. The zones formed in the region of the openings by the injection-molding process fix the metal sheets to one another and simultaneously support and hold the plastic section of the bonded part.

The present invention, as defined in amended claim 1 connects two or more metal profiles by means of an injection molded plastic material. The plastic material connects

the metal profiles in an area of superimposed contacting surfaces that are provided in flat edge sections of the metal profiles. The flat edge sections form contacting surfaces between the metal profiles. The metal profiles are designed such that the flat edge sections are lying on top of each other in a substantially planar and congruent manner. The plastic material extends through the openings and encloses the flat edge sections around the openings.

Therefore, Applicant respectfully submits that Rink does not provide any suggestion or motivation to provide contacting surfaces that are disposed in flat edge sections of the metal profiles and that the metal profiles are connected to each other by means of an injection molded plastic material extending through the openings and enclosing the flat edge sections around the openings, and wherein the openings in the flat edge sections of the metal profiles are lying on top of each other in a substantially planar and congruent manner.

Furthermore, Applicant submits that Rink does not teach or suggest all the claim limitations as defined in amended claim 1.

Therefore, Applicant believes that claim 1 is allowable for at least the reasons above, and a holding to this effect is respectfully solicited.

Claim Rejections - 35 U.S.C. § 102:

Claim 1 is rejected under 35 U.S.C. § 102 (b) as being anticipated by Rink (U.S. Patent No. 5,842,265). Applicant respectfully traverses the rejection of claim 1.

Amended claim 1 defines, *inter alia*, that the contacting surfaces are disposed in flat edge sections of the metal profiles and that the metal profiles are connected to each other by means of an injection molded plastic material extending through the openings and enclosing the flat edge sections around the openings, and wherein the openings in the

flat edge sections of the metal profiles are lying on top of each other in a substantially planar and congruent manner.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. See MPEP §2131. Contrary to the Office Action that all of the elements of claim 1 are disclosed in Rink, at least the features that the contacting surfaces are disposed in flat edge sections of the metal profiles and that the metal profiles are connected to each other by means of an injection molded plastic material extending through the openings and enclosing the flat edge sections around the openings, and wherein the openings in the flat edge sections of the metal profiles are lying on top of each other in a substantially planar and congruent manner, are not disclosed, taught or suggested by Rink, so the rejection is unsupported by the art and should be withdrawn.

Therefore, Applicant believes that claim 1 is allowable for at least the reason above, and a holding to this effect is respectfully solicited.

Furthermore, Applicant amended the disclosure of the instant specification at paragraph [0005] describing prior art reference EP 0 721 831 A1 to remove the reference to sheet profiles. In this connection, Applicant would like to thank the Examiner for pointing out that the instant specification refers to the EP-A equivalent of Rink as having sheet profiles. However, the Rink reference only discloses the joining of metal sheets. Hence, Rink does not provide any disclosure for the joining of metal profiles and any such reference in the Background section of the instant specification is removed by way of this amendment.

The instant specification is further amended to insert a new paragraph [0007a] after paragraph [0007] to include the features of amended claim 1 in the Summary of the Invention section of the instant specification. No new matter is included by way of this amendment. All features of amended claim 1 are disclosed in the specification and drawings as originally filed.

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As such, it is respectfully submitted that claim 1 is in condition for Allowance.
Early and favorable reconsideration would be appreciated.

Should the Examiner believe anything further needs to be addressed, the
Examiner is encouraged to contact the undersigned attorney at the telephone number
listed below.

The Commissioner is hereby authorized to charge any deficiencies in the
fees provided, or credit any overpayment to our Deposit Account No. 50-1759.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robin W. Asher', written over a horizontal line.

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